

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**CLAY CONTEE,**

**Plaintiff,**

**v.**

**UNIVERSITY OF PENNSYLVANIA,**

**Defendant.**

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**CIVIL ACTION**

**No. 21-1398**

**ORDER**

**AND NOW**, this **29th** day of **June, 2021**, upon consideration of Defendant's Motion to Dismiss, Plaintiff's Response in Opposition, and Defendant's Reply, and for the reasons stated in the Court's Memorandum dated June 29, 2021 it is **ORDERED** that the Motion to Dismiss (Document No. 7) is **DENIED**.

**BY THE COURT:**

/s/ Berle M. Schiller

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**Berle M. Schiller, J.**